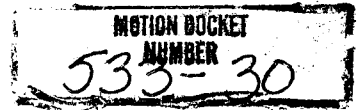


UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Paul J. Luckern



In the Matter of

CERTAIN RUBBER ANTIDEGRADANTS,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME

Investigation No. 337-TA-533

**RESPONDENTS' MOTION FOR SUMMARY DETERMINATION OF
INEQUITABLE CONDUCT IN THE PROSECUTION OF THE '538 PATENT**

Pursuant to 19 C.F.R. § 210.18 and Ground Rules 3(i) and (iv), Respondents Sinorgchem Co., Shandong ("Sovereign") and Korea Kumho Petrochemical Co., Ltd. ("KKPC") (collectively "Respondents") hereby move for summary determination that Complainant Flexsys America L.P. ("Flexsys") engaged in inequitable conduct in its prosecution of U.S. Patent No. 6,140,538 ("the '538 patent"), thereby rendering that patent unenforceable. As set forth in the accompanying Memorandum and Statement of Undisputed Material Facts, there is no genuine dispute that Flexsys knowingly and intentionally withheld material information relevant to the patentability of the '538 patent in response to an Office Action denying patentability. Consequently, Respondents are entitled to summary determination as a matter of law.

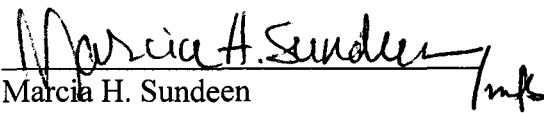
Counsel for KKPC contacted counsel for Flexsys and Respondent Sovereign Chemical Co. ("Sovereign"), and the Commission Investigative Attorney to advise of Respondents' intention to file this Motion. Counsel for Flexsys indicated that Flexsys opposes this Motion. Counsel for Sovereign indicated that Sovereign consents to this Motion. The Commission

Investigative Attorney ("Staff") has indicated that the Staff will state a position after it has reviewed the moving papers.

For the reasons discussed in the accompanying memorandum, Respondents respectfully request that the instant motion for summary determination be granted and that the '538 patent be found unenforceable due to inequitable conduct.

Dated: September 19, 2005

Respectfully submitted,



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TIR715305

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **RESPONDENTS' MOTION FOR SUMMARY DETERMINATION OF INEQUITABLE CONDUCT IN THE PROSECUTION OF THE '538 PATENT (CONFIDENTIAL)** was served as indicated, to the parties listed below, this 19th day of September 2005:

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(VIA HAND DELIVERY – Original + 6 copies)

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